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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE: PORTFOLIO RECOVERY
ASSOCIATES, LLC, TELEPHONE
CONSUMER PROTECTION ACT
LITIGATION

Case No. 3:11-md-2295-JAH-BGS

THIS DOCUMENT RELATES TO:
3:10-cv-2658-JAH-BGS
3:11-cv-1008-JAH-BGS
3:11-cv-3057-JAH-BGS

**ORDER GRANTING
NATIONWIDE PLAINTIFFS' EX
PARTE MOTION TO VACATE
HEARING ON DEFENDANTS'
MOTION TO DISMISS AND TO
CONDUCT JURISDICTIONAL
DISCOVERY**


On June 22, 2012, plaintiffs from the Allen, Myer, Frydman actions (“Nationwide Plaintiffs”) filed a consolidated class action complaint. (Dkt No. 36.) On July 20, 2012, defendants named in the consolidated complaint, Portfolio Recovery Associates, LLC (“PRA, LLC”) and Portfolio Recovery Associates, Inc. (“PRA, Inc.”) (“Defendants”) filed a motion to dismiss portions of the consolidated complaint. (Dkt No. 43.) On August 3, 2012, the Nationwide Plaintiffs filed an ex parte motion to take Defendants’ motion to dismiss off calendar and to lift the discovery stay in this matter to the extent necessary to permit jurisdictional discovery as it relates to PRA, Inc. (Dkt No. 46.) Defendants filed a response to Nationwide Plaintiffs’ ex parte motion, stating they did not oppose the ex parte motion, except Defendants requested an opportunity to continue to meet and confer

1 regarding the scope of jurisdictional discovery. (Dkt No. 47.) Plaintiffs filed a reply to
2 Defendants' opposition. (Dkt. No. 48.)

3 Having considered the parties' submissions, the Court finds good cause to grant the
4 Nationwide Plaintiffs' ex parte motion. Accordingly, **IT IS HEREBY ORDERED** that:

- 5 1. The Nationwide Plaintiffs' ex parte motion, (Dkt No. 46), is **GRANTED**;
- 6 2. The hearing on Defendants' motion to dismiss, (Dkt No. 43), set for
7 September 17, 2012, is **VACATED** until further order of this Court;
- 8 3. The Nationwide Plaintiffs are permitted to conduct discovery regarding the
9 jurisdictional facts asserted in Defendants' motion to dismiss; and
- 10 4. Magistrate Judge Skomal is directed to schedule a discovery conference
11 regarding the scope of jurisdictional discovery.

12
13 Dated: August 10, 2012



JOHN A. HOUSTON
United States District Judge